United Nations A/C.1/54/PV.15

General Assembly
Fifty-fourth Session

Official Records

First Committee
15th Meeting
Monday, 25 October 1999, 10 a.m.
New York

Chairman: Mr. González . . . . . (Chile)

The meeting was called to order at 10.15 a.m.

Agenda items 64, 65 and 67 to 85 (*continued*)

Thematic discussion on item subjects; introduction and consideration of all draft resolutions submitted under all disarmament and international security items

Mr. Benítez Sáenz (Uruguay) (*spoke in Spanish*): I have the honour to speak on behalf of the countries of the Southern Cone Common Market (MERCOSUR) — Argentina, Brazil, Paraguay and Uruguay — as well as Bolivia and Chile, with regard to draft resolution A/C.1/54/L.2, "Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction", which is to be introduced later this morning.

MERCOSUR, Bolivia and Chile are proud to have been among the first associations of countries that fully supported the signing of the Convention in Ottawa. We did so because of our commitment to eliminate weapons of this type, which have caused so much damage, and continue to do so. Argentina, Bolivia, Brazil and Paraguay have already ratified the Convention, and Chile and Uruguay have declared that their constitutional steps for ratification are nearly concluded. Further, through the Declaration establishing the MERCOSUR countries, Bolivia and Chile as a zone of peace, signed by the Presidents of the six countries at the MERCOSUR summit held in Ushuaia, Argentina, on 24 July 1998, the six countries have undertaken to move forward to the declaration of MERCOSUR, Bolivia and Chile as a zone free from anti-personnel mines, and to extend this zone throughout the Western Hemisphere.

In the light of the efforts being made to that end, our region is on the way to becoming the first to declare itself free of this scourge. This objective was set by the Organization of American States in its resolutions adopted in 1996 and 1997 on making the Western Hemisphere a zone free of anti-personnel landmines. The steps taken at the highest level by the Rio Group are also worth mentioning.

Implementing the Ottawa Convention and making it universal is the essential task in the ambitious programme and further work being carried out. We are committed to continuing to make every effort in this direction.

Regrettably, the use of millions of mines affects every region of the world. Demining is still one of the greatest challenges in the process of reconstructing societies in their post-conflict stage; hence the significant contribution of this Convention, the expression of the consensus of the international community on the need for a total ban on such devices, which are contrary to international humanitarian law.

The contingents of the MERCOSUR countries, Bolivia and Chile serving in United Nations peacekeeping operations have faced the risks of these weapons, and, regrettably, have suffered losses in various parts of the world.

States parties to the Convention, meeting for the first time in Maputo, agreed to make every effort to ensure that verification and the coordination of measures for the eradication of anti-personnel mines were as effective as was expected under the Convention.

99-86239 (E)

This record contains the original texts of speeches delivered in English and interpretations of speeches delivered in the other languages. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, Room C-178. Corrections will be issued after the end of the session in a consolidated corrigendum.

The most deplorable effects are seen in the women and children killed or mutilated by these concealed, indiscriminate weapons, which neither respect armistices nor have the capacity to obey a ceasefire. The study of the impact of armed conflict on children attached special importance to the devastating impact of these weapons of mass destruction in slow motion.

We must take every step necessary to ensure that cooperation in demining and assistance to the victims becomes a reality, as agreed in the Oslo negotiations. The Convention should provide the framework for dealing with fundamental aspects of alleviating the suffering of populations and open the way for their development.

It is now some years since the United Nations began focusing decisively upon this subject. For example, there were discussions at the level of the Security Council about demining in the context of peacekeeping operations.

We are convinced that the essential elements in the removal of these devices are the personnel involved and the creation of a secure environment in which health and social development conditions are not threatened. That is why the countries of MERCOSUR, Bolivia and Chile are doing everything they can to contribute to the solution of the problem of anti-personnel mines.

Mr. Mesdoua (Algeria) (*spoke in French*): I have great pleasure in introducing once again a draft resolution entitled, "Strengthening of Security and Cooperation in the Mediterranean Region", contained in document A/C.1/54/L.15. I do so on behalf of the following sponsors: Algeria, Andorra, Austria, Belgium, Croatia, Cyprus, Denmark, Egypt, Finland, France, Germany, Greece, Ireland, Italy, Jordan, Luxembourg, Malta, Mauritania, Monaco, Morocco, the Netherlands, Norway, Portugal, San Marino, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Tunisia, Turkey and the United Kingdom of Great Britain and Northern Ireland.

The regular presentation by the group of sponsors of this draft resolution demonstrates the collective will of the States of the Mediterranean basin and Europe to make the Mediterranean region a zone of peace, security and cooperation, and consequently to give it its true vocation as a lake of peace.

As everyone knows, for some years the Mediterranean and European countries have been engaged in a process of dialogue and partnership, intensifying their joint efforts to promote and consolidate peace and security in the region, and to lay the foundations of a cooperation taking many forms and of a beneficial partnership, with the final objective of securing the prosperity and stability of all the Mediterranean countries.

The Euro-Mediterranean Conference held in Barcelona in 1995 laid the foundation for a new relationship between the two sides of the Mediterranean. The second, held in April 1997 in Valletta, Malta, consolidated and strengthened this foundation by giving the opportunity to appraise the process and give the necessary political impetus to the dynamic of this partnership.

In the context of efforts made in the framework of dialogue and consultations between the two sides, ministerial meetings of the Mediterranean Forum held in Algiers in July 1997, Palma de Mallorca, Spain, in April 1998, and Valletta, Malta, in March 1999 contributed greatly, through another, complementary framework, to further strengthening these efforts.

The draft resolution is identical to resolution 53/82, adopted by this Committee and then, on 4 December 1999, by the General Assembly. It continues to address central aspects of security and cooperation in the Mediterranean. In this spirit, it recalls in its preambular part the initiatives taken by the countries of the region to consolidate peace, security and cooperation, and reaffirms the responsibility of all States to contribute to the stability and prosperity of the Mediterranean region. It also reaffirms their commitment to respect the purposes and principles of the Charter of the United Nations, and emphasizes the indivisible character of security in the region.

In its operative part the draft resolution reaffirms the fundamental principles set out in paragraphs 1 and 2, and in paragraph 4 it stresses the need to eliminate the economic and social disparities between the Mediterranean countries and to promote mutual respect and greater understanding among cultures in order to enhance peace, security and cooperation among the countries of the region.

On the subject of disarmament, the draft resolution calls on all States of the region that have not yet done so to adhere to all the multilaterally negotiated legal instruments related to disarmament and non-proliferation. Furthermore, States are encouraged to favour openness and transparency.

Finally, all the States of the region are invited to cooperate in every area in order to confront terrorism and international crime, as well as the illicit production of, and trafficking in, drugs and arms, which jeopardize friendly relations among States and hinder the development of international cooperation.

As in previous sessions, the sponsors are confident that this draft resolution will continue to enjoy the support of all members of this Committee and will therefore be adopted without a vote.

Mr. Chomar (Mozambique): It is an honour and a pleasure for me to introduce draft resolution A/C.1/54/L.2, "Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction".

The following States are to be added to the list of sponsors: Côte d'Ivoire, which should have appeared in the very first version of the draft resolution, Malta, Slovenia, Uruguay and Zimbabwe.

As the Committee will recall, last year's draft resolution was entitled "Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction". As a result of that draft resolution, there was held this year, in May, the First Meeting of the States Parties. My country has submitted this draft resolution under agenda item 76 in its capacity as host and President of that First Meeting.

Thus far the Ottawa process has been a commendable success. The latest commitment of the international community to put an end to the scourge of landmines is contained in the Maputo Declaration (APLC/MSP.1/1999/1). It is of paramount importance that this momentum be sustained, especially because the most difficult phase of the whole process — implementation — still lies ahead. In other words, the progress made towards the achievement of the ambitious and well-intentioned goal of the complete elimination of landmines can only be realized through the universalization of the Convention.

Hence, the purpose of the draft resolution is: first, to keep up the current momentum of the process by the convening of the Second Meeting of States Parties to the Convention next year, in Geneva, to look into practical implementation issues; secondly, to urge States parties to provide complete and timely information as required in article 7 in order to promote transparency and compliance with the Convention; thirdly, to renew the invitation to all States that have not signed to do so without delay; and, fourthly, to remind States of the commitments made in Maputo to support and advance the care, rehabilitation and social and economic reintegration of landmine victims.

Since the First Meeting of States Parties to the Convention progress has been made in various areas of cooperation, including the holding in Geneva of two inter-sessional meetings of the Standing Committees of Experts, one on mine clearance and the other on assistance to victims, socio-economic reintegration and mine awareness. Three more inter-sessional meetings, on stockpile destruction, technologies for mine action and general status and operation of the Convention, will take place in December and January in Geneva. We appeal to all States parties to participate in this work, with the ultimate goal of eliminating the scourge of anti-personnel mines.

At the time of the First Meeting in Maputo we had 133 States signatories and 47 ratifications. The ratifications have now increased to 88. More States are to sign and ratify the Convention. The number of signatories and ratifications sends a clear message to the rest of the international community to join the movement against these deadly weapons.

The countries affected by anti-personnel mines are determined to attain the objectives enshrined in the Ottawa Convention. This is possible with the support of the international community, not only by providing financial and technical assistance, but also by sparing no effort to ban the production and transfer of these lethal weapons totally. Let us thus build a better future for our children, a world without mines.

We appeal to all States that truly support a comprehensive ban on landmines to remain focused on that objective and devote all their energy to that gigantic task. We welcome additional initiatives and efforts that have no negative effects on the main goal of the draft resolution, sponsored by more than 85 States.

Before I conclude, I would like to inform the Committee that the sponsors have agreed to remain focused on the objectives of the Convention, and are proposing the inclusion in the provisional agenda of the fifty-fifth session of the General Assembly of the item entitled, "Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction".

Finally, I would like to request members' support through co-sponsorship of the draft resolution on this crucial issue. The ultimate goal is to obtain 188 sponsors.

Mrs. Kunadi (India): I have the honour to introduce the draft resolution entitled "Role of science and technology in the context of international security and disarmament", contained in document A/C.1/54/L./32. It is sponsored by Bangladesh, Bhutan, Costa Rica, Cuba, Fiji, Guyana, Indonesia, Kenya, the Libyan Arab Jamarihiya, Malaysia,

Nepal, Nigeria, Pakistan, Singapore, the Sudan, Sri Lanka, Viet Nam and India.

This draft resolution, which India has traditionally co-sponsored, addresses an issue of importance to the international community and to the developing world. The growth of science and technology offers immense possibilities for development, but at the same time there is a need to recognize that several of these advances are of a dual-use nature and could have military applications.

Access to scientific and technological advances for developmental purposes remains a priority issue for developing countries. In fact, such access is an impetus for economic growth and can have a positive impact on global trade. At the same time, several countries in the developing world have had to pay a cost, in terms of development, because of the persistence of discriminatory control regimes. These regimes are, in effect, no more than exclusive groupings of countries that limit the exchanges of such technologies among themselves, while denying access to other countries that require them for peaceful developmental purposes. These regimes are often non-economic barriers to normal trade and go against the generally accepted principles of global economic relations.

Exclusive export control policies were initiated to address proliferation concerns at a time when there were no global agreements that comprehensively addressed this issue. Questions have arisen whether such exclusive arrangements, with their limited membership, and made, ostensibly, for a temporary period of time, have been truly effective in achieving their stated purpose of strengthening the international non-proliferation regime, especially with regard to scientific and technological applications connected with advanced weapons and weapons of mass destruction and their means of delivery.

The Chemical Weapons Convention (CWC) — the first multilateral disarmament agreement of a universal character, eliminating a complete class of weapons of mass destruction — offered an opportunity to put in place a multilaterally negotiated, non-discriminatory legal mechanism that would address proliferation concerns emanating from unregulated transfers, while promoting the economic development of States parties. The CWC placed an obligation on States parties to review their export policies as measures that they take to prevent the spread of chemical materials and equipment for purposes contrary to the objectives of the Convention. However, the persistence of certain ad hoc control regimes, creating a dual category of States parties to the CWC, stresses the need for the early implementation of all provisions of the CWC, to safeguard its long-term viability and effectiveness.

The ongoing negotiations for an effective protocol to strengthen the effectiveness and improve the implementation of the Biological Weapons Convention of 1972 provide the States parties with an opportunity to put in place an effective system of regulation of transfers of agents, toxins, equipment and technologies relevant to the Convention, while avoiding measures that hamper the economic development of States parties. The negotiations should also benefit from the lessons learned from the implementation of the Chemical Weapons Convention since its entry into force.

The lack of a genuinely non-discriminatory universal agreement regarding nuclear weapons has also reduced the effectiveness of non-proliferation efforts in the nuclear field. Nuclear non-proliferation, in all its aspects, cannot be divorced from the need for measures that promote nuclear disarmament and the progressive elimination of nuclear weapons. Absence of a disarmament benchmark renders nuclear non-proliferation difficult not only to implement, but to measure as well.

India has consistently maintained that proliferation concerns regarding materials and technologies related to advanced weapons systems, weapons of mass destruction and their means of delivery are best addressed through multilaterally negotiated, non-discriminatory agreements which are transparent and open to universal participation. The reflection of this principle in multilateral disarmament agreements would not only improve their effectiveness, but also create an added impetus for their universality.

India has given detailed consideration to the report (A/53/202) of the Secretary-General, dated 28 July 1998, on the role of science and technology in the context of international security and disarmament. The report, which is a useful update of the earlier report (A/45/568) of the Secretary-General, dated 17 October 1990, cited specific examples in the fields of nuclear technology, space technology, materials technology, information technology and biotechnology to highlight the fact that the application of advances in science and technology in the military field was a continuing phenomenon. The dual-use nature of these technologies was an added factor of significance to be kept in mind.

Although the report did not have a "conclusions" section, its substantive sections only reconfirmed the conclusion of the 1990 report, which underlined that the international community must remain seized of this issue,

if it is to find ways of allowing technology the freedom to develop and yet, at the same time, ensure that technological advances promote, rather than place at risk, international peace and security in the years ahead.

With a view to carrying forward the consideration by the international community of the issues at hand, India, along with the other sponsors, commends the draft resolution for adoption by the Committee. We hope that it will receive the support of a large number of delegations.

Mr. Zahran (Egypt) (*spoke in Arabic*): I have the pleasure of introducing the draft resolution contained in document A/C.1/54/L.7, entitled "Establishment of a nuclear-weapon-free zone in the Middle East".

A similar draft resolution has been adopted annually by the General Assembly since 1974. Since 1980 the Assembly has adopted it by consensus. The consensus that has emerged in the General Assembly over the years with respect to this proposal and the steadfast support it has received in bilateral declarations and in various multilateral forums — most recently during the 1999 substantive session of the Disarmament Commission, with the adoption by consensus of the principles and guidelines on the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned — are undoubtedly clear testimony to the viability and relevance of this concept in the Middle East.

The establishment of a nuclear-weapon-free zone in the Middle East would greatly contribute to arresting the proliferation of the threat and dangers of nuclear weapons and to strengthening the security of all States of the region, and consequently would be deemed an important confidence-building measure towards the achievement of a just, comprehensive and lasting peace in the Middle East.

During the forty-fifth session of the General Assembly the study on effective and verifiable measures which would facilitate the establishment of a nuclear-weapon-free zone in the Middle East was presented for this Committee's consideration. The study was well received, as a useful and balanced approach to attaining an important objective. I wish to refer to its conclusions, where it is stated:

(*spoke in English*)

> "There is no doubt that the goal can be reached; it is not an idle dream ...
>
> "The effort required will be great, but so will the benefits of success." (*A/45/435, paras. 175 and 176*)

For over 18 years now the Middle East nuclear-weapon-free zone has been universally anticipated, a record that testifies to the overwhelming support for its creation. However, the plain truth is that this objective seems to be eluding us; no concrete measures, no operational measures and no serious talks have yet been held, formally or informally, between regional parties with a view to putting into practice what all of us here seem to want.

Despite the general frustration over the stagnation of the efforts to establish the Middle East nuclear-weapon-free zone, Egypt firmly supports the implementation of the draft resolution that the Committee annually adopts. Nevertheless, our endorsement of it must not be misconstrued or misinterpreted as tacit acquiescence.

To the contrary, Egypt continues to be committed to the earliest establishment and implementation of the principles and provisions for a nuclear-weapon-free zone in the Middle East, and indeed, of a zone free from all weapons of mass destruction. In a region fraught with tension such as the Middle East, the zone cannot be looked upon as an a posteriori peace dividend; instead, it must be seen as an essential confidence-building measure, facilitating and leading the way towards a just, comprehensive and lasting peace in the Middle East.

In the light of the welcome adoption by consensus by the Disarmament Commission of the principles and guidelines on the establishment of nuclear-weapon-free zones, we deemed it appropriate to introduce a new twelfth preambular paragraph, noting the report of the Disarmament Commission at its 1999 substantive session and welcoming the adoption of the principles and guidelines contained therein. It would be remiss of us not to do so, as this remarkable work reflects, in the final analysis, our common beliefs reached by mutual consent and understanding.

It is our considered opinion that the time is now more than ripe to proceed towards the establishment of a nuclear-weapon-free zone in the Middle East. For this reason, operative paragraph 10 endeavours once again to utilize the good offices of the Secretary-General to give the process the required impetus. It seems to be timely today that we seriously embark on laying the solid foundations on which to proceed. In this regard, the same operative paragraph requests the Secretary-General to pursue his consultations with the States of the region and other concerned States.

I also draw attention to the eighth preambular paragraph and operative paragraph 9, in which reference is made to the establishment of a zone free of weapons of

mass destruction in the Middle East. This initiative is aimed at broadening the scope of the 1974 initiative by adding to it the chemical weapons and biological weapons dimension.

Since the announcement of this initiative by President Mubarak on 9 April 1990, later encompassed by his broader initiative in June 1998 to convene an international conference to free the world from all weapons of mass destruction, the 1990 initiative has been attracting ever growing support. The Security Council, for example, adopted on 8 April 1991 resolution 687 (1991), paragraph 14 of which reiterates, in essence, the need to work towards the establishment in the Middle East of a zone free from all weapons of mass destruction.

Finally, in commending this draft resolution to the First Committee, I earnestly hope that it will receive the same support as previous similar draft resolutions and will be adopted, as before, without a vote.

Mrs. Kunadi (India): I have the honour to introduce the draft resolution entitled "Convention on the Prohibition of Use of Nuclear Weapons", contained in document A/C.1/54/L.33, sponsored by Bangladesh, Bhutan, Brunei Darussalam, Colombia, Costa Rica, Cuba, the Democratic People's Republic of Korea, Egypt, Fiji, Guyana, Indonesia, Kenya, the Lao People's Democratic Republic, the Libyan Arab Jamahiriya, Malaysia, Mexico, Nepal, Namibia, the Sudan, Viet Nam and India.

The draft resolution goes to the very core of the nuclearized global order, which persists even now, a decade after the end of the cold war. Nuclear weapons continue to be viewed as a legitimate currency of power, with certain States claiming the right to possess them in perpetuity. Doctrines of first use of nuclear weapons have been revalidated and reaffirmed, even though the threat perceptions that originally gave rise to them disappeared long ago. There are those that reserve the right to use nuclear weapons first, even against non-nuclear threats and threats from other weapons of mass destruction.

There is a need to address this threat to humanity at various levels. At the level of political commitment, backed by legally binding agreements, it is important that there be a reorientation of nuclear doctrines towards a no-first-use and no-use policy, thus delegitimizing nuclear weapons globally.

The historic advisory opinion of the International Court of Justice in 1996 made international humanitarian law applicable to the use of nuclear weapons. At the Conference in Rome last year on the Statute of the International Criminal Court (ICC) India formally proposed that use or threat of use of nuclear weapons should be a crime on the Statute of the ICC. This was not accepted.

There is a need to remove any ambiguity that may be resorted to in justifying of the use of nuclear weapons. The international community needs to take decisive steps to delegitimize nuclear weapons as an essential element in the step-by-step process leading to their elimination. There is therefore a need for a legally binding instrument prohibiting the use or threat of nuclear weapons.

The draft resolution, as in previous years, underlines the fact that the use of nuclear weapons poses the most serious threat to the survival of mankind; refers to the International Court of Justice's advisory opinion of 1996, that the use or threat of use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflict; and expresses the conviction that a multilateral agreement prohibiting the use of nuclear weapons would strengthen international security and contribute to the climate for the negotiations leading to their elimination.

The draft resolution reiterates the request to the Conference on Disarmament to commence negotiations to reach agreement on an international convention prohibiting the use or threat of use of nuclear weapons. We regret that, due to the inflexible position of certain delegations, the Conference on Disarmament has not been able thus far to commence negotiations on this subject.

In commending the draft resolution to the Committee as a measure that would be of far-reaching significance and perhaps constitute the first nuclear disarmament agreement, the Indian delegation, along with all the co-sponsors, expresses the hope that it will receive the widest possible support in the Committee. A positive vote will also be a vote of confidence that the international community can take decisive steps on the path leading to the elimination of nuclear weapons. On the eve of the new millennium, a vote in favour of this draft resolution would also be a vote of confidence that the international community can take decisive steps towards the goal of ridding the world of nuclear weapons.

The meeting rose at 11.05 a.m.